IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3018 OF 2006

Shri Waman Gangadhar Walve
and Ors. ...Petitioners.
vs.
Shri Madhukar Baban Salve
and Ors. ..Respondents.

S.A. Mudbidri for the petitioners.
Nitin V. Gunsal for respondent no.1 to 3.

CORAM: S.B. MHASE, J.

DATED: 2ND MAY, 2006.

P.C. :

1. The order dated 17.4.2006 passed by the Divisional Commissioner in WTN Rev No. 22/2006 is challenged before this court. The order passed by the Sub-Divisional Officer, Nasik on 26.2.2002 is challenged by he petitioner in the above referred proceedings.

2. However, the Commissioner has refused to grant stay and therefore the petitioner has approached this court. However it is seen from the order dated 27.2.2006 that the petitioner has been declared as an unauthorised holder and the order for summary eviction has been passed as against the petitioner. It is further directed that the possession should be handed over to the respondent. In the said circumstances the stay was very much necessary.

Now the learned counsel for the respondent makes a statement that the impugned order dated 27.2.2006 will not be implemented till the final disposal of the proceedings by the Commissioner. However he submits that the Commissioner be directed to dispose off the proceedings as early as possible. Statement made by the learned counsel for respondent is hereby accepted. In these circumstances the Commissioner is directed to call for the record from the subordinate officer and after giving notice to the respective parties shall dispose off the proceedings within a period of eight weeks from today. With these directions the petition is disposed off.

(S.B. MHASE, J)